

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALL STATES ASPHALT, INC. ET AL.,

Plaintiff

V.

FIREMAN'S FUND INSURANCE COMPANY

Defendant

Case No: 3:05-CV-30022-KPN

SETTLEMENT ORDER OF DISMISSAL

The Court, having been advised by counsel for the plaintiffs on 3/29/06 that the above-entitled action has been settled.

IT IS HEREBY ORDERED that this action is DISMISSED without costs and without prejudice to the right, upon good cause shown within SIXTY (60) DAYS to reopen the action if settlement is not consummated by the parties.

DATED March 29, 2006

SARAH A. THORNTON
CLERK

BY: /s/ Maurice G. Lindsay
Maurice G. Lindsay
Deputy Clerk